

Appln. No. 10/025,104  
Amendment dated December 9, 2003  
Reply to Office Action dated June 9, 2003

### Remarks/Arguments

The foregoing amendments and these remarks are made in response to the Office Action dated June 9, 2003. This Amendment is timely filed with the accompanying Request for a Three Month Extension of Time along with the payment of the associated fee.

At the time of the Office Action, claims 1-23 were pending in the application. In the Office Action, objections to the disclosure were made. Claims 1, 4, 5 and 7-23 were rejected variously under 35 U.S.C. §§ 112, 102 and 103. Claims 2, 3 and 6 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form. The objections and rejections are set forth in more detail below.

### Objections To The Specification

The Examiner objected to the disclosure because the mounting bracket was represented by the numeral 38 while the storm bar was represented, in certain instances, by the numeral 38, as well as the numeral 36. As set forth in the Amendments to the Specification, Applicant has amended several paragraphs to correct the problems noted by the Examiner. Therefore, Applicant respectfully requests the Examiner to withdraw her objections. Upon approval by the Examiner, Applicant will submit formal drawings, incorporating any corresponding changes required because of the changes to the specification.

### Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 7-9 and 11-15 under 35 U.S.C. § 112, ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner noted that claim 9 recites the limitation "the connection flange" without sufficient antecedent basis for this limitation in the claim. As noted in the listing of claims, Applicant has cancelled claims 6-9.

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In addition, the Examiner noted that claims 11 and 12 depend from each other, and neither claim depends from the independent claim. The Examiner requested a correction to clarify the dependency. Accordingly, Applicant has corrected claim 11 so now that claim depends from independent claim 10.

In light of the above, it is respectfully submitted that the Examiner's rejections under 35 U.S.C. § 112 have been overcome.

#### Art-Based Claim Rejections

Claims 1 and 4-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,543,188 ("Poma"). Claims 16, 17 and 19-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. ("Hoffman"). Claim 23 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. ("Boswell"). Finally, claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoffman. Each of these rejections will be addressed in turn below.

Independent claims 1 and 10 recite that the shutter blades provide a louvered appearance on one side and provide access to the facing openings of the elongated frame members on the opposing side for insertion of bracing clips when the shutter is arranged for impact protection. Claims 1 and 10 have been amended to clarify that the access to the facing openings is provided between at least two of the shutter blades. Such an arrangement is not disclosed by Poma. Specifically, Poma does not disclose a spacing between blades for access but rather provides a solid plate that is slightly recessed to provide access behind or outside of the blade array as opposed to between the blades. Therefore, the Examiner's rejection of claims 1 and 10 and the rejected claims depending therefrom based on Poma have respectfully been traversed.

As for the Examiner's rejection of claims 16, 17, 19-20 as being anticipated by Hoffman. The Examiner noted that Hoffman teaches, among other things, that the connecting flange of the first shutter blade is permanently connected to the adjacent shutter blade at its end. Claims 16,

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17, 19-20 have all been amended to recite that the connecting flange of the first shutter blade is adapted to connect to the blade body of the adjacent shutter blade. As noted by the Examiner, Hoffman only teaches connection at the ends. Therefore, for at least this reason, Applicant respectfully submits that the Examiner's rejection of claims 16, 17, and 19-20 has been overcome.

Claim 23 has been amended as presented in the listing of claims. Applicant respectfully submits that amended claim 23 overcomes the Examiner's rejection based on Boswell. Specifically, Boswell does not disclose the blade being arranged at different angles of orientation as now recited by claim 23. Thus, the blades of the prior art, when linked together, do not form the unique blade arrangement as recited by claim 23. That is, the prior systems do not provide a louvered appearance in the front and a corrugated appearance on the rear side. The corrugated arrangement provides not only access, but also provides strength of a corrugated unit for resisting wind and other storm conditions.

Applicant respectfully disagrees that claim 18 would have been obvious in view of Hoffman. However, in light of the amendments made to claim 18 as set forth in the listing of the claims, claim 18 now recites features that cannot be found in Hoffman. For instance, claim 18 now recites that the adjacent blade is connected to the blade body of the third blade. Applicant further submits that it would not have been obvious to modify Hoffman to supply the missing features. Therefore, Applicant respectfully submits that the Examiner's rejection has been overcome.

Applicant would finally like to point out that new claims 24 through 29 are also distinguishable over the references of record.

The Examiner has acknowledged that claims 2, 3 and 6 are directed to allowable subject matter. Claims 2 and 6 has been canceled from the application, whereas claim 3 now depends from new claim 24.

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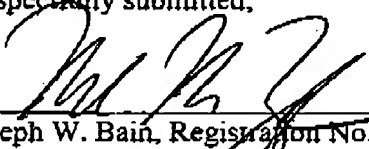
Reply to Office Action dated June 9, 2003Conclusion

In light of the foregoing, it is respectfully submitted that the Examiner's objections and rejections have been overcome. Accordingly, Applicant respectfully requests that the Examiner reconsider the claims currently pending in the application; withdraw the rejections under 35 U.S.C. §§ 102, 103 and 112; allow the pending claims including new claims 24-29; and issue a timely Notice of Allowance in this case.

Date:

12/9/2003

Respectfully submitted,

  
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